

Notice of Allowability

Application No.

10/810,946

Examiner

Disler Paul

Applicant(s)

MILLER ET AL.

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/10/07.
2. ☒ The allowed claim(s) is/are 1-8 and 10-48.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10/9/07;8/2/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-8,9-48 are allowed.

Re claim 1, while, Jennings et al. disclose of the voice amplifier for attachment to a mask, the said voice amplifier comprising: a speaker and a sound reflector and; a base connected with said sound reflector; and said speaker supported on the said base, said front face of said speaker designed to generate sound waves that travel toward said reflector surface, said reflector surface designed to reflect said sound waves generated from said speaker back toward said speaker and outwardly from said mask.

However, None of the prior arts of record disclose of the specific wherein the speaker having a front face that faces inwardly of said mask when said voice amplifier is attached to said mask; a sound reflector having a reflector surface that faces outwardly of the said mask when the said voice amplifier is attached to the said mask; with the speaker facing towards such that said front face of said speaker faces towards the said reflector surface of said sound reflector and outwardly from said mask when said amplifier is attached to said mask.

Similarly, Re claims 5,11,28 have been analyzed and allowed partly in view of the similar allowable limitations as in claim 1.

Re claims 12, while, Jennings et al. disclose of the voice amplifier for attachment to a mask, said voice amplifier comprising: a base; a speaker supported on the said base.

However, None of the prior art of record disclose of the cover connected with the said base to form a housing enclosing said speaker, said cover having a front wall with a front surface facing away from the said mask when the said voice amplifier is attached to said mask. said speaker having a wide end and a narrow end, said narrow end of said speaker being located closer to said front wall of the said cover than the wide end, the said cover front wall having a profile that follows the a profile of said speaker in a direction from the said narrow end of the said speaker to the said wide end of said speaker, said wide end of said speaker having a front face that faces inwardly of said mask when said voice amplifier is attached to said mask.

Similarly, re claim 15,19,27 have been analyzed and allowed partly for incorporating the same allowability limitation as in claims 12 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Disler Paul whose telephone number is 571-270-1187. The examiner can normally be reached on 7:30-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/810,946
Art Unit: 2615

Page 4

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DP


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TECHNOLOGY CENTER 2000

11/22/08